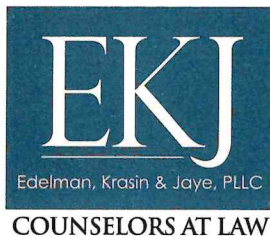


PAUL B. EDELMAN +
LAWRENCE P. KRASIN
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SAL A. SPANO



HAROLD J. STANGLER
1929-2017

KARA M. ROSEN ++
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OF COUNSEL

+ADMITTED IN NY & DC
++ADMITTED IN NY & NJ

August 3, 2023

VIA ECF
Hon. Jesse M. Furman
United States District Court
Southern District of New York
40 Centre Street, Room 2202
New York, NY 10007

RE: LAVIOLETTE V. DOUGLAS DEOTTO *et al*
CIVIL ACTION NO. 7:22-cv-6244

Dear Judge Furman:

As Your Honor is aware, the undersigned firm represents the plaintiff in this action, Rinaldo Laviolette. I write this letter with the review and consent of all parties. As you may recall, the plaintiff's allegations in this case is that Plaintiff sustained severe personal injuries after being shot in the face by defendant Douglas DeOtto, an off-duty police officer employed by Defendant New York City and the New York City Police Department on March 5, 2022. Issue has been joined in this matter.

As was reported on March 14, 2023, counsel for all parties have complied with the local rules of this case, a Local Civil Rule 83.10 "Plan" case and have exchanged discovery.

We subsequently requested (and were granted) two (2) adjournments of the Initial Conference as we are still awaiting word from a possible Grand Jury Investigation into this incident. The matter was adjourned to August 9, 2023. The undersigned has not had further communication with Marc Lindemann, Esq. of the Suffolk County Attorney's Office, despite several attempts by phone messages and email at this time. His last indication was that he was going to get more clarity on the Suffolk County District Attorney's Grand Jury intentions soon. As can be gleaned from our pleadings and prior correspondence, any such action could great importance as regards the civil matter.

Consequently, the parties would respectfully request an adjournment of the Initial Conference until October 18, 2023 to determine what, if any, action was taken by the Grand

Jury and what, if any, consequence this will have on the Civil Proceeding. Any action would inform the parties' next steps of either attempting to lift the 83.10 stay to open wider discovery or to stay the action until any criminal matter has been resolved.

The parties jointly request, therefore, an adjournment of the Initial Conference on August 9, 2023, until October 18, 2023 so that the parties can receive clarity on the next steps (if any) of the Suffolk County Police Department's investigation in the subject matter.

The parties jointly thank the Court for allowing it to address the Court in this matter.

Very truly yours,

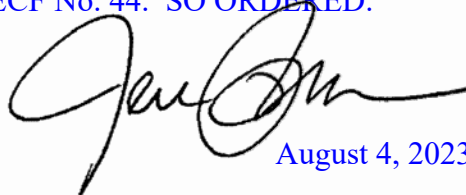

DANIEL J. SOLINSKY

CC:

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Application GRANTED. The initial pretrial conference, currently scheduled for August 9, 2023, is hereby ADJOURNED to **October 18, 2023, at 9:00 a.m.** The Clerk of Court is directed to terminate ECF No. 44. SO ORDERED.


August 4, 2023